

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JUAN FELIZ,  
Petitioner,

- against -

22-cv-8635 (JGK)

ALFRED MONTEFARI,  
Respondent.

ORDER

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JOHN G. KOELTL, District Judge:

On November 2, 2022, the Court denied the petitioner's application for appointment of counsel. ECF No. 10. The Court explained that, based on the petitioner's petition for a writ of habeas corpus, ECF No. 2, the Court could not yet determine whether the petitioner's claim was likely to have merit, see Hodge v. Police Officers, 802 F.2d 58, 61-62 (2d Cir. 1986); Tarafa v. Arfus, No. 10-cv-3870, 2010 WL 2545769, at \*1 (S.D.N.Y. June 9, 2010).

The Court has now received from the petitioner another request for appointment of counsel, dated November 9, 2022. ECF No. 12. On the record before the Court, however, the Court still cannot determine whether the petition is likely to have merit. Accordingly, the petitioner's application for the Court to appoint counsel is **denied**. This denial is without prejudice to future applications.

All deadlines in this case as set forth the Court's October 13, 2022 Order to Answer remain the same, including the

respondent's obligation to respond to the petition by **December 12, 2022**, and the petitioner's entitlement to file any reply papers within thirty days from the date the petitioner is served with the respondent's response to the petition. See ECF No. 7.  
**SO ORDERED.**

**Dated:**      **New York, New York**  
**November 15, 2022**



John G. Koeltl  
United States District Judge